

ISRAEL JOHNSON.

[To accompany Bill H. R. No. 370.]

MARCH 19, 1860.

Mr. LEACH, from the Committee on Indian Affairs, made the following

REPORT.

The Committee on Indian Affairs, to whom was referred the petition of Israel Johnson, of Cass county, Indiana, report :

In the year 1833 an attempt was made by General William Marshall, Indian agent, and Nicholas D. Grover, sub-agent, to form a treaty with the Miami tribe of Indians, at the forks of the Wabash.

At the request and under the direction of said agent and sub-agent, the petitioner, Johnson, hauled from Logansport to the treaty ground three loads of baggage, for which he charges forty-five dollars per load, making \$135. He also hauled, by order of said agents, one load of baggage from said treaty ground to the payment station for the Pottawatomies on the Tippecanoe river, for which he was also to receive forty-five dollars.

Being a hotel-keeper at Logansport, he had, by direction of said agents, entertained and kept a large number of Indians and their horses for some time prior to said attempted treaty, for which he charges two hundred and twenty (220) dollars.

While the Indians were in council, by the direction of said agents, he gave a public dinner to the chiefs and headmen of said tribes, Miami and Pottawatomies, for which he charges seventy-five dollars. He was also employed by said agents to transport six Pottawatomie boys to Madison, on their way to the Choctaw academy, for which they were to pay him one hundred dollars.

The evidence before the committee is conclusive as to the truth of the allegations in the memorial. The rendition of the services and the reasonable character of the charges are both supported by abundant testimony; General Grover, one of the agents who requested their performance, thus testifies and further declares that, "having been sub-agent or agent during the treaties by which most of the lands in northern Indiana were purchased of the Indians, the same power was authorized and exercised for expenses of this character." The testimony of Hon. Chauncey Carter, Hon. J. W. Wright, J. B. Duret, and J. Vigus, esqrs., amongst the oldest citizens of Logansport, who

were cognizant of these services being performed, that they were authorized, and that the charges are reasonable, also accompany and corroborate the petition before the committee.

While other allowances of a similar character for services at the same time were allowed by the War Department, this claim was omitted through the negligence of General Marshall, the chief agent and commissioner. On the failure of the treaty, the accounts were hurriedly made up during the night following, and the treaty ground abandoned early the next morning. Mr. Johnson was at that very time absent, hauling a load for the United States to the Pottawatomie payment ground, and being out of sight was forgotten in the hurry of the hour. General Grover in his affidavit explains this by allusion to the well-known carelessness, in the matter of accounts, of his superior.

It appears, also, from the evidence that the reason why the claim has been so long pending is as follows: After Mr. Johnson found that his claim had not been certified he appealed to General Marshall, who had ordered the services, to pay it himself, which he consented to do when he received money from Washington to pay the expenses; that after waiting a year and in vain, Marshall then said he would have to certify it before it could be paid, which he then did in a book, although out of office and the book itself was lost by an attorney employed by Johnson and could not be found after the attorney's decease. Up to 1845 Johnson supposed Marshall would have to pay it himself, Marshall asking him to take trade for it, which he consented to do but could never obtain.

Since that time the claim has been before Congress. It has been several times favorably reported, both in the Senate and the House, by the Committee on Indian Affairs. In 1854 a bill for paying the claim passed the Senate, but was not reached in the House. The committee therefore recommend the passage of the accompanying bill.